

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PHYTO TECH CORP. d/b/a BLUE CALIFORNIA, and
CONAGEN INC.,

Plaintiffs,


v.

GIVAUDAN SA

Defendants.

18-CV-06172 (JGK)

APPLICATION GRANTED
SO ORDERED


John G. Koeltl, U.S.D.J.

1/10/23

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NOTICE OF PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER PARTIAL SEAL

PLEASE TAKE NOTICE that, pursuant to Section VI.A.2 of Your Honor's Individual Rules of Practice, Plaintiffs Phyto Tech Corp. and Conagen Inc., by and through the undersigned counsel, respectfully requests permission for leave to file Exhibits A, B, C, and D to the Declaration of Katherine A. Helm in Support of Plaintiffs' Motion for Attorneys' Fees under partial seal. Plaintiffs set forth below, as to each exhibit, its reasons for this request.

Exhibit A to the Declaration of Katherine A. Helm is a redacted version of the BGN LLC Agreement, which is identical to the version that was previously filed under partial seal by the parties in this action. *See* Dkt. No. 44-1. Accordingly, Plaintiffs respectfully request to file the document in redacted form.

Exhibits B, C, and D to the Declaration of Katherine A. Helm are timesheets of Dechert attorneys and staff. The unredacted versions of Exhibits B, C, and D are attached hereto, with the portions sought to be sealed highlighted in yellow. These timesheets contain narratives that refer to Givaudan's confidential collaboration with a third party to develop certain technology,

which constitutes information designated confidential by parties in this litigation under the protective order. The Court has granted similar requests by the parties to redact this information. *See e.g.*, Dkt. Nos. 40; 73; 83; 99; 104. Accordingly, Plaintiffs respectfully request to file these documents under partial seal to maintain the confidentiality of the information.

To minimize the amount of material under seal, Plaintiffs do not seek to seal the entire documents. Rather, Plaintiffs seek permission to redact certain specific portions of the documents that refer to such confidential and proprietary information. Thus, Plaintiffs respectfully request to file these documents in redacted form.

Dated: August 9, 2022

Respectfully submitted,

By: /s/ Katherine A. Helm

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